IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

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ORDER

Magan Singh
vs
Labour Court, Jodhpur & Ors.

S.B. CIVIL WRIT PETIITON NO.3199/2002 UNDER ARTICLE 226 & 227 OF THE CONSTITUTION OF INDIA.

DATE OF ORDER : 29th August, 2006

PRESENT

HON'BLE MR.MOHAMMAD RAFIQ,J.

Mr.Vijay Mehta, Advocate, for the petitioner.
Mr.Sangeet Lodha, Advocate, for the respondents.

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BY THE COURT: -

Under challenge in this writ petition is the award dated 20th March,2002 passed by the learned Labour Court, Jodhpur whereby the removal of the petitioner -workman was held to be legal and justified. The petitioner -workman was appointed as Conductor in Hanumangarh Depot of the Rajasthan State Road Transport Corporation (in short the corporation) on 26.6.1979.

He was served with the charge-sheet on 20.5.1983 that while on duty in a bus of route from Jodhpur to Jaipur on 15.3.1983, he on checking was found to be carrying five passengers without ticket in bus. After disciplinary inquiry, the petitioner was removed from service on 20.7.1983 and he filed appeal against the order of removal, which too was dismissed by the General Manager of the corporation. A reference was then made to the learned labour court. The learned labour court on question of fairness of inquiry, held that inquiry conducted by the corporation was just and fair. It therefore declined to make any interference in the order of removal of the petitioner -workman and held that the order of his removal was perfectly legal and justified.

Having heard learned counsel for the parties, I am satisfied that no error much less an error apparent on the face of record has been committed by the tribunal in passing the impugned order. No interference is called for even on the question of proportionality of quantum of punishment.

The writ petition being devoid of merit is dismissed. There shall be no order as to costs.

(MOHAMMAD RAFIQ), J.

c.p.goyal/-